

REMARKS

Applicant has revised the abstract and amended the claims to remove terminology not customary in this country, to eliminate improper multiple dependency and non-statutory claims and to improve the claim language. The Examiner should note that a "diaphysis" is defined as being a spinous projection from the tibia. No new matter has been added, nor has the claim scope been narrowed by these amendments.

Early action allowing claims 1-8 is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 246472007600.

Respectfully submitted,

Dated: April 4, 2005

By:



Barry E. Bretschneider
Registration No. 28,055

Morrison & Foerster LLP
1650 Tysons Boulevard, Suite 300
McLean, Virginia 22102
Telephone: (703) 760-7743
Facsimile: (703) 760-7777